

<b>Guide for Review of ESG Procurement</b>			
<b>Name of Grantee:</b>			
<b>Staff Consulted:</b>			
<b>Name(s) of Reviewer(s)</b>		<b>Date</b>	

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, Consolidated Plan/IDIS, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Exhibit is designed to evaluate an ESG grantee's procurement transactions. It is divided into five sections: Sample Selection; Small Purchase; Sealed Bids; Competitive Proposals; and Noncompetitive Proposals. The HUD reviewer should follow the sampling instructions in Section 9-3 in the introduction to this Chapter and randomly select a sample of the grantee's procurement transactions, pull the procurement files related to the selected transactions and use the files to verify responses to the Exhibit questions.

**Questions:**

**A. SAMPLE SELECTION**

1.

Provide the following information for the selected sample of procurement transactions.					
Name of Contractor	Date of Purchase	Amount Budgeted	Amount Obligated	Amount Expended	Procurement Method*

\* Use the following numbers for these methods of procurement [see 24 CFR 85.36(d)]:  
(1) Small Purchase; (2) Sealed Bids; (3) Competitive Proposals; and (4) Noncompetitive Proposals.

B. SMALL PURCHASES

2.

Does the grantee document receipt of an adequate number of price or rate quotations from qualified sources for procurements of \$100,000 or less? [24 CFR 85.36(d)(1) and ESG Desk Guide, Section 7.7.6]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
<b>Describe Basis for Conclusion:</b>		

C. SEALED BIDS

3.

Does the grantee receive at least two or more sealed bids for each procurement transaction? [24 CFR 85.36 (d)(2)(i)(B) and 24 CFR 576.57(b)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
<b>Describe Basis for Conclusion:</b>		

4.

Do the procurements lend themselves to firm, fixed price contracts and can selection of successful bidders be made principally on the basis of price? [24 CFR 85.36(d)(2)(i)(C) and 24 CFR 576.57(b)]	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
<b>Describe Basis for Conclusion:</b>		

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5.

<p>Does the grantee publicly advertise Invitations For Bids (IFBs) and were bids solicited from an adequate number of known suppliers, providing them with sufficient time before the date set for opening bids? [24 CFR 85.36(d)(2)(ii)(A) and 24 CFR 576.57(b)]</p>	<div style="display: flex; justify-content: space-around;"><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div></div>
<p><b>Describe Basis for Conclusion:</b></p> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	

6.

<p>Did the IFBs, including specifications and pertinent attachments, clearly define the items or services needed in order for the bidders to properly respond? [24 CFR 85.36(d)(2)(ii)(B) and 24 CFR 576.57(b)]</p>	<div style="display: flex; justify-content: space-around;"><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div></div>
<p><b>Describe Basis for Conclusion:</b></p> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	

7.

<p>Are the bids opened publicly at the times and places stated in the IFBs? [24 CFR 85.36(d)(2)(ii)(C) and 24 CFR 576.57(b)]</p>	<div style="display: flex; justify-content: space-around;"><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div></div>
<p><b>Describe Basis for Conclusion:</b></p> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	

8.

<p>Are contracts awarded to the lowest responsive and responsible bidders? [24 CFR 85.36(d)(2)(ii)(D) and 24 CFR 576.57(b)]</p>	<div style="display: flex; justify-content: space-around;"><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div></div>
<p><b>Describe Basis for Conclusion:</b></p> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	

D. COMPETITIVE PROPOSALS

9.

Is the competitive proposal procurement method used generally when conditions are not appropriate for the use of sealed bids? [24 CFR 85.36(d)(3) and 24 CFR 576.57(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>          		

10.

Do the Requests for Proposals (RFPs) clearly and accurately state the technical requirements for the goods or services to be procured? [24 CFR 85.36(c)(3)(i) and 24 CFR 576.57(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>          		

11.

Are the proposals solicited from an adequate number of qualified sources, consistent with the nature and requirements of the procurement? [24 CFR 85.36(d)(3)(ii) and 24 CFR 576.57(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>          		

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12.

Does the grantee publicize the RFPs and honor reasonable requests by parties to compete to the maximum extent practicable? [24 CFR 85.36(d)(3)(i) and 24 CFR 576.57(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>		

13.

Do the RFPs identify all significant evaluation factors, including prices or costs where required, and their relative importance? [24 CFR 85.36(d)(3)(i) and 24 CFR 576.57(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>		

14.

Do the records indicate that the grantee conducted technical evaluations of submitted proposals; determined responsible offerors from such evaluations; as necessary and, when authorized, conducted negotiations, written or oral, for final contract award; and made awards to the most responsive and responsible offerors whose proposals will be most advantageous to the grantee after price and other factors are considered? [24 CFR 576.57(b); 24 CFR 85.36(d)(3)(iii) and (iv); and 24 CFR 85.36(b)(8)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Describe Basis for Conclusion:</b>		

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<p>If any RFPs involved architectural or engineering professional services, were submissions evaluated with respect to factors other than price, e.g., can the grantee document the bases for negotiation of fair and reasonable compensation?</p> <p>[24 CFR 85.36(d)(3)(v) and 24 CFR 576.57(b)]</p>	<div> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> <div> Yes No N/A </div>
<p><b>Describe Basis for Conclusion:</b></p>	

<p>If RFP involved architectural or engineering professional services, does the grantee maintain a list of qualified bidders who can respond to its RFP?          [24 CFR 85.36(d)(3)(v) and 24 CFR 576.57(b)]</p>	<div> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> <div>             Yes             No             N/A           </div>
<p><b>Describe Basis for Conclusion:</b></p>	

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**E. NONCOMPETITIVE PROPOSALS**

17.

<p>If the grantee procured services noncompetitively, do the procurement records document that other methods of procurement (small purchase, sealed bids or competitive proposals) were infeasible because the items were available from a single source; OR a public exigency or emergency was of such urgency to not permit a delay resulting from competitive solicitation; OR, after solicitation of a number of sources, competition is determined inadequate; OR approval was granted by HUD? [24 CFR 85.36(d)(4) and 24 CFR 576.57(b)]</p>	<table border="0"><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Yes</td><td>No</td><td>N/A</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p><b>Describe Basis for Conclusion:</b></p>          							

**F. PROCUREMENT ASSURANCES**

18.

<p>Based upon your review, has the grantee involved, to the maximum extent practicable, homeless persons and families in rehabilitating housing, operating shelters, or providing supportive services? [24 CFR 576.56(b); McKinney Act, 42 USC 11375(c)(7)]</p>	<table border="0"><tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Yes</td><td>No</td></tr></table>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>				
Yes	No				
<p><b>Describe Basis for Conclusion:</b></p>          					